



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,457	09/10/2004	Andreas Weinberg	5255-20PUS	5655
27799	7590	05/05/2006	EXAMINER	
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			GALL, LLOYD A	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/507,457

Applicant(s)

WEINBERG ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 22-42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/10/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

The disclosure is objected to because of the following informalities: The Abstract is objected to, since "invention", "said" and "means" should not be used in an Abstract. In the amended paragraph beginning on page 1, line 18, line 3 thereof, "doorstep" should read --doorstop--. In the amended paragraph beginning on page 6, line 13, lines 4-5, it is not clear how the stop 32 resting on the driver 33 as seen in fig. 5 prevents the bolt 4 from moving inwardly. In the same amended paragraph beginning on page 6, line 13, line 8 thereof, it appears that the second occurrence of "33" should read --31--. In the same amended paragraph beginning on page 6, line 13, line 9 thereof, it is not clear in what sense the driver 33 is rounded.

Appropriate correction is required.

Claims 23, 28, 30, 33, 35 and 40 are objected to because of the following informalities: In claim 23, line 2, --an-- should follow "having". In claim 28, line 2, "is connected in a fixed in position" is grammatically incorrect. In claim 30, line 1, "said one" is inaccurate, since the one half claimed in the last line of claim 22 corresponds to half 2, and the half referred to in claim 30, line 1 corresponds to half 3. In claim 33, line 2, "one of is made" is grammatically incorrect. Line 2 of claim 35 is not clear as to what is being claimed, that is, what is the center of the outside surface. In claim 40, it is not clear what is meant by "self-locking". Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3676

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-25, 29, 30 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe (375) in view of the German reference (200).

It is first noted that an all-glass door as set forth in claim 22, line 1 and claim 25 is not being positively claimed. Wiebe teaches a hardware fitting including first and second round halves 8 on opposite sides of the door, a lock 6 having a locking bolt being slidably retracted by the halves 8, and a round door stop 13, 15 being integrated into at least one of the halves. Wiebe also teaches a slanted end surface between the bumpers 15, 17. The rubber portion 13, 15 has a lower Shore hardness than the knob portion 8, and bumper 13, 15 may be regarded as a lower part, and portion 8 as an upper part. The portion 15 at the top and bottom of figure 3 define radial projections. Wiebe also teaches a laterally extending plate 20 connected by unlabeled screws at its four corners as seen in fig. 1, and a central bore receiving a connecting mandrel or driver 7 connected to the half 8 by a screw 10. With respect to claim 29, the halves 8 of Wiebe teach a recess which receives the bumper 17. Wiebe does not show an intermediate nut between the halves 8 for retracting the bolt. The German reference (200) teaches a nut 15 to be actuated by a connecting mandrel 16. It would have been obvious to provide a nut in the fitting of Wiebe to be actuated by the mandrel or driver 7 of Wiebe, in view of the teaching of the German reference, the motivation being to transfer the torque applied to the halves 8 to retract the bolt, as is well known in the lock art.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference (200) as applied to claim 24 above, and further in view of DeForrest (796).

DeForrest teaches a display device 46, 48 used with a plate 34 and window 42 to indicate the position of a locking bolt. It would have been obvious to provide an indicating display with the plate 20 of Wiebe, in view of the teaching of DeForrest, the motivation being to provide a visual indicator of the locking condition of the door.

Claims 27 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference (200) and DeForrest as applied to claim 26 above, and further in view of Chang et al.

Chang teaches colors 430 (column 3, lines 64-67) used as indicators, on a slidable bolt 450. It would have been obvious to use colors on the bolt of Wiebe as modified by DeForrest, in view of the teaching of Chang, the motivation being to provide a quick visual indicator of the locking position of the bolt and condition of the door.

Claims 28, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference (200) as applied to claim 22 above, and further in view of an additional teaching of the German reference (200).

The German reference also teaches a fixed half 17 opposed to a rotatable half 3 as seen in fig. 7, and an emergency device 28 used with the fixed half 17. It would have been obvious to modify the fitting of Wiebe to include a fixed and rotatable half, with an emergency device used with the fixed half, in view of the teaching of the German

Art Unit: 3676

reference (200), the motivation being to simplify opening of the door by pulling on the fixed half, and allowing emergency retraction of the locking bolt.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference (200) as applied to claim 22 above, and further in view of an additional teaching of the German reference (200).

The German reference also teaches a locating pin or locking screw 20 as seen in fig. 7 between the halves. It would have been obvious to modify the screws at the four corners of the plate 20 of Wiebe, such that they engage the opposite half, whereby one screw may be regarded as a locking screw, and the other screws may be regarded as locating pins, in view of the teaching of the German reference (200), the motivation being to securely connect the opposite halves to the door.

Claims 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference (200) as applied to claim 22 above, and further in view of Esser et al or Taylor.

With respect to claim 40, the bolt of the German reference is regarded as self-locking, and used with a nut 15, as set forth above. Esser et al teaches a nut with plural teeth 34, two of which may be regarded as drivers, and a third as a limiting stop. Taylor also teaches a nut with drivers (a,b) and a limiting stop (c). It would have been obvious to modify the nut of Wiebe as modified by the German reference, to include at least two drivers and a limiting stop, in view of the teaching of Esser et al or Taylor, the motivation being to transfer torque from the halves to the locking bolt.

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wiebe in view of the German reference as applied to claim 22 above, and further in view of Manson et al.

In column 6, line 52, Manson teaches a special stainless steel handle. It would have been obvious to form the parts 8 of Wiebe of stainless steel, in view of the teaching of Manson et al, the motivation being to provide corrosion resistance.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

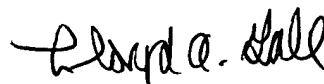
Application/Control Number: 10/507,457

Page 7

Art Unit: 3676

LG LG

May 03, 2006

A handwritten signature in black ink, appearing to read "Lloyd A. Gall". The signature is fluid and cursive, with a large initial "L" and a stylized "G".

Lloyd A. Gall
Primary Examiner